



REGULATORY AGENCY ACTION

Finally, the Board agreed to discontinue its current policy of allowing applicants who do not qualify for licensure to request a refund of 50% of their application fee; under the Board's new policy, unqualified applicants will not be entitled to receive any refund.

BRGG Releases Informational Brochure. BRGG has prepared and released a brochure for the general public defining the roles of geologists, geophysicists, and engineering geologists, the functions of BRGG, and how to file a complaint against a BRGG licensee. This brochure is part of the Board's effort to improve public awareness of BRGG and its enforcement activities.

BRGG Regulations. On November 30, the Office of Administrative Law approved BRGG's nonsubstantive amendment to section 3000, Title 16 of the CCR, which reflects the Board's new address; BRGG is now located at 400 R Street, Suite 4060, Sacramento, CA 95814.

■ LEGISLATION

Anticipated Legislation. During the 1993-94 legislative session, BRGG is expected to sponsor a bill which would authorize it to create a hydrogeology certification program (*see supra* MAJOR PROJECTS). BRGG may attempt to include this proposal in the Department of Consumer Affairs' (DCA) 1993 omnibus bill. BRGG may also sponsor legislation that would allow the implementation of a criterion passing score system for its new exam.

■ RECENT MEETINGS

At its November 6 meeting, BRGG discussed the effect that the ongoing state budget crisis will have on the Board's ability to operate. The Board noted that other DCA agencies have agreed to limit full board meetings to four or five per year, in order to cut costs; the Board generally agreed to maintain a similar meeting schedule unless circumstances warrant otherwise.

■ FUTURE MEETINGS

To be announced.

BOARD OF GUIDE DOGS FOR THE BLIND

Executive Officer: Manuel Urena
(916) 445-9040

The Board of Guide Dogs for the Blind has three primary functions. The Board protects the blind guide dog user by

licensing instructors and schools to ensure that they possess certain minimum qualifications. The Board also enforces standards of performance and conduct of these licensees as established by law. Finally, the Board polices unlicensed practice.

The Board, authorized by Business and Professions Code section 7200 *et seq.*, consists of seven members, two of whom must be dog users. In carrying out its primary responsibilities, the Board is empowered to adopt and enforce regulations, which are codified in Division 22, Title 16 of the California Code of Regulations (CCR).

The Board currently licenses three guide dog schools and 48 trainers.

■ RECENT MEETINGS

The Board has not conducted a meeting since July 24. [12:4 CRLR 82]

■ FUTURE MEETINGS

To be announced.

BUREAU OF HOME FURNISHINGS AND THERMAL INSULATION

Chief: Gordon Damant
(916) 920-6951

The Bureau of Home Furnishings and Thermal Insulation (BHFTI) is charged with regulating the home furnishings and insulation industries in California. As a division of the state Department of Consumer Affairs (DCA), the Bureau's mandate is to ensure that these industries provide safe, properly labeled products which comply with state standards. Additionally, the Bureau is to protect consumers from fraudulent, misleading, and deceptive trade practices by members of the home furnishings and insulation industries; the Bureau is also responsible for toy safety testing for the state of California. The Bureau is established in Business and Professions Code section 19000 *et seq.*

The Bureau establishes rules regarding furniture and bedding labeling and sanitation. The Bureau enforces the law by conducting extensive laboratory testing of products randomly obtained by Bureau inspectors from retail and wholesale establishments throughout the state. To enforce its regulations, which are codified in Division 3, Title 4 of the California Code of Regulations (CCR), the Bureau has access to premises, equipment, materials, and articles of furniture. The Bureau may issue notices of violation, withhold products from sale, and refer cases to the At-

torney General or local district attorney's offices for possible civil penalties. The Bureau may also revoke or suspend a licensee's registration for violation of its rules.

■ MAJOR PROJECTS

Bureau Accepts Responsibility for Toy Safety Testing. Bureau Chief Gordon Damant recently signed a cooperative agreement with the federal Consumer Product Safety Commission, under which BHFTI will be responsible for toy safety testing in California. [12:4 CRLR 84] Among other things, the Bureau will enforce federal safety laws in California as they pertain to the following products and activities: imported children's toys decorated with paint containing lead; toys containing small parts that can be ingested by small children; babies' pacifiers, which must pass a nipple strength test and which must include breathing holes in the pacifier shield; bean bag cushions, some of which have caused the suffocation of small children; bicycle safety; the labeling of hazardous substances; the design of children's beds, including the slat size and the design of the headboard; and children's hinged toy chests.

Bureau Seeks Input on Draft Citation/Telephone Disconnect Regulations. Business and Professions Code section 125.9 authorizes BHFTI to establish, by regulation, a system for the issuance to a licensee of a citation containing an order of abatement and/or an order to pay an administrative fine where the licensee is in violation of the Bureau's licensing act or any regulation adopted pursuant thereto. [12:1 CRLR 65]

Pursuant to SB 2044 (Boatwright) (Chapter 1135, Statutes of 1992), BHFTI is also authorized to adopt regulations establishing a system for the issuance of an administrative citation to an unlicensed person who is acting in the capacity of a licensee under BHFTI's jurisdiction. SB 2044 also provides that if, upon investigation, BHFTI has probable cause to believe that a person is advertising in a telephone directory with respect to the offering or performance of services which require a license from BHFTI but without being properly licensed by BHFTI, the Bureau may issue a citation containing an order of correction which requires the violator to cease the unlawful advertising and notify the telephone company furnishing services to the violator to disconnect the telephone service furnished to any telephone number contained in the unlawful advertising. If the person to whom a citation is issued notifies BHFTI in writing that he/she intends to contest the citation, the